UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/47/249/Add.1
20 November 1992
ENGLISH
ORIGINAL: SPANISH

Forty-seventh session

REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM IN THE AGENDA OF THE FORTY-SEVENTH SESSION

REQUEST FOR AN ADVISORY OPINION FROM THE INTERNATIONAL COURT OF JUSTICE

Letter dated 13 November 1992 from the representatives of Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Portugal, Spain, Uruguay and Venezuela to the United Nations addressed to the Secretary-General

Addendum

92-73832 3558c (E) 201192 201192 221192

/...

APPENDIX

Draft resolution

The General Assembly,

Reaffirming the need to promote acceptance of and respect for international law and its importance for fostering peaceful and friendly relations among States,

Bearing in mind the need to clarify certain legal questions relating to the extraterritorial exercise of domestic jurisdiction and to international judicial cooperation, based on respect for the sovereignty and territorial integrity of States,

Convinced that an advisory opinion of the International Court of Justice will contribute decisively to determining and specifying the rules of international law applicable in this sphere and will foster peaceful and friendly relations among States,

Requests, in accordance with Article 96 of the Charter of the United Nations, that the International Court of Justice give an advisory opinion on the following questions:

1. Does the conduct of a State which, directly or indirectly, arrests or apprehends a person in the territory of another State without the latter's consent, and transfers him to its own territory to subject him to its criminal jurisdiction, constitute a breach of international law?

2. If the first question is in the affirmative, what would be the international legal consequences in that case for each of those States and, possibly, for third States?